

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jennifer Jarett	Team: Team # 5	CCRB Case #: 200700096	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Monday, 01/01/2007 1:30 AM	Location of Incident: 1345 5th Ave	Precinct: 23	18 Mo. SOL 7/1/2008	EO SOL 7/1/2008	
Date/Time CV Reported Mon, 01/01/2007 8:00 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 01/03/2007 1:01 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Thomas Fabrizi	10183	938464	PSA 5

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Phillip Hall	14589	941033	PSA 5

Officer(s)	Allegation	Investigator Recommendation
A.POM Thomas Fabrizi	Force: PO Thomas Fabrizi used physical force against § 87(2)(b) [REDACTED]	

Synopsis

On December 31, 2006, § 87(2)(b) was driving his friend § 87(2)(b)'s car, looking for a parking place on 5th Avenue and 112th Street in Manhattan. § 87(2)(b) saw an empty angled parking place and drove past it and went through a red light that "was just about to change". A marked police van pulled up behind him. § 87(2)(b) got out of the car, went over to the van, and explained what happened. Three officers got out of the van, said they, "didn't want to hear it" and had him turn around and handcuffed him. As § 87(2)(b) was walking towards the van, PO Thomas Fabrizi (who was identified later at the precinct when § 87(2)(b) asked for his shield number) pushed § 87(2)(b). § 87(2)(b) asked why he was pushed and PO Fabrizi said it was because he wasn't walking fast enough. When § 87(2)(b) was getting into the van, PO Fabrizi "threw" § 87(2)(b) towards the seat and § 87(2)(b) hit his head on the edge of the seat. § 87(2)(b) asked to be taken to the hospital and was given pain killers for his neck and "something else" (which he could not recall).

On January 1, 2007, § 87(2)(b) called IAB to file a complaint (07-00076). On January 3, 2007, the complaint was received by the CCRB. On January 9, 2007, the undersigned investigator sent first contact letters to § 87(2)(b) at the two addresses listed on the IAB log and § 87(2)(b). On January 18, 2007, the undersigned investigator called § 87(2)(b) took a phone statement, and made an appointment for January 31, 2007 at 3:00pm. On January 31, 2007, § 87(2)(b) did not show up for his appointment and did not call. On January 31, 2007, the undersigned investigator called § 87(2)(b) but his home phone line was busy and his cell phone was not accepting calls. On January 31, 2007, the undersigned investigator called § 87(2)(b)'s home and § 87(2)(b) answered the phone. He was told he missed his appointment. § 87(2)(b) gave her phone statement which revealed that she only saw some of the incident, which she observed from an apartment window. § 87(2)(b) and § 87(2)(b) made an appointment to come in on February 8, 2007 at 3:00pm. Neither § 87(2)(b) nor § 87(2)(b) showed up for the appointment and neither one called to say they were not coming. On February 16, 2007, the undersigned investigator looked up § 87(2)(b) and § 87(2)(b) on the New York City and New York State Department of Corrections Inmate Lookup; neither of them is currently incarcerated. The only letter sent via the United States Postal Service that was returned was the incorrect address listed in the IAB log; the letters sent to the correct address for § 87(2)(b) as well as correspondence sent to § 87(2)(b) were not returned.

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: